

Recordation Form Continuation Sheet

Trademark/Service Mark Registrations

TRADEMARK REGISTRATION NUMBERS

2,487,429
1,561,546
1,620,023
2,410,612
2,436,745
2,398,106

2,398,107
2,393,737
2,408,614

Trademark Applications

MARK

SERIAL NUMBER

FILING DATE

#1199706 v1 - 23324/9

RELEASE OF INTELLECTUAL PROPERTY COLLATERAL LIEN

This RELEASE OF INTELLECTUAL PROPERTY COLLATERAL LIEN, ("Release"), dated as of April 9, 2004, is made by CapitalSource Finance LLC ("CapitalSource").

WITNESSETH:

WHEREAS, Black Dog Tavern Company, Inc., a Massachusetts corporation (the "Company") and CapitalSource are parties to an Acknowledgement of Intellectual Property Collateral Lien dated April 18, 2003 in which the Company granted a security interest in the Company's Intellectual Property (as defined in the Revolving Credit, Term Loan Security Agreement dated April 18, 2003 [the "Security Agreement"]) in favor of CapitalSource, including a security interest in the registered trademarks, trademark applications listed on Schedule I hereto and copyright registrations listed on Schedule II hereto, to secure all Obligations (as defined in the Security Agreement) of the Company;

WHEREAS, in connection with the Company's satisfaction of its Obligations to CapitalSource, CapitalSource desires to release its security interest in the Intellectual Property Collateral, including without limitation, the trademarks listed on Schedule I and the copyrights listed on Schedule II hereto and all renewals thereof, and the goodwill of the Company's business connected with the use of, and symbolized by, such trademarks and copyrights;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CapitalSource hereby releases the security interest in, and, without recourse to CapitalSource and without any representation or warranty of CapitalSource whatsoever, which CapitalSource hereby expressly disclaims, reassigns, transfers and conveys to the Company, any and all right, title and interest which CapitalSource has in or to the Intellectual Property Collateral, including without limitation, the trademarks listed on Schedule I and the copyrights listed on Schedule II hereto, and more particularly the security interest in and to the trademarks listed on Schedule I and the copyrights listed on Schedule II. CapitalSource agrees that, at the Company's sole cost and expense, it shall promptly execute and deliver to the Company any and all releases or discharges of its liens and security interests, or any other documents that reassign, transfer or convey the Intellectual Property Collateral to the Company, without recourse to CapitalSource and without any representation or warranty of CapitalSource whatsoever, as may be reasonably requested by the Company, prepared by the Company, and presented by the Company to CapitalSource for execution.

IN WITNESS WHEREOF, CapitalSource has caused this Release to be duly executed by its duly authorized officer as of the day and year first above written.

CAPITALSOURCE FINANCE LLC

By: 
Name: Joseph Turitz
Title: General Counsel

TRADEMARK

REEL: 002836 FRAME: 0911

SCHEDULE I
To
ACKNOWLEDGEMENT OF INTELLECTUAL PROPERTY LIEN
TRADEMARK REGISTRATIONS

A. REGISTERED TRADEMARKS

REGISTRATION

MARK

1,559,349	THE BLACK DOG
1,593,194	THE BLACK DOG
2,000,492	THE BLACK DOG
1,882,153	THE BLACK DOG
2,396,057	THE BLACK DOG
2,396,058	THE BLACK DOG
2,393,742	THE BLACK DOG
2,436,746	THE BLACK DOG
2,396,059	THE BLACK DOG
2,487,429	THE BLACK DOG
1,561,546	DESIGN ONLY
1,620,023	DESIGN ONLY
2,410,612	DESIGN ONLY
2,436,745	DESIGN ONLY
2,398,106	DESIGN ONLY
2,398,107	DESIGN ONLY
2,393,737	DESIGN ONLY
2,408,614	DESIGN ONLY

B. TRADEMARK APPLICATIONS

SERIAL NO.

MARK

75/874570	THE BLACK DOG
75/874571	THE BLACK DOG
76/124450	DESIGN ONLY

C. TRADEMARK LICENSES

NONE.

SCHEDULE II
To
ACKNOWLEDGEMENT OF INTELLECTUAL PROPERTY LIEN
COPYRIGHT REGISTRATIONS

<u>REGISTRATION NO.</u>	<u>TITLE</u>
TX-5-213-664	The Black Dog Summer on the Vineyard Cookbook by Joseph Hall et al.
TX-5-430-022	The Black Dog 20 th anniversary, summer 1991
TX-5-445-327	The Black Dog Catalog: Holiday 1998
TX-5-445-328	The Black Dog Catalog: Holiday 1999
VAu 243-442	Black Dog by Stephanie Phelan

TRADEMARK